

OFFICE OF
GENERAL COUNSEL

February 23, 2018

2018 MAR 13 PM 4:33

Federal Election Commission
999 E street, NW
Washington, DC 20463

MUR # 7348

Dear Commissioners,

Complainant files this complaint under 52 U.S.C. 30109 (a) (1) with the Federal Election Commission (the "FEC") against Friends of Michael Grimm, the Committee's Treasurer, Nancy H. Watkins, in her official capacity, and Michael Caputo.

Michael Caputo appears to have violated the Federal Election Campaign Act of 1971 ("the Act") and FEC regulations by making an illegal in-kind contribution. And, the Grimm campaign and its Treasury appear to have accepted illegal inkind contributions from Mr. Caputo. In the alternative, Ms. Watkins and the Grimm campaign have violated the Act and regulations by failing to properly record and report debts owed to Mr. Caputo for professional services rendered to the Grimm campaign or monies paid to Mr. Caputo for such services.

On, or about October 1, Mr. Grimm announced he was seeking the nomination for election to the House of Representatives from NY 11, and thereafter filed a Statement of Organization with the FEC.

Michael Caputo, is identified as a partner in Caputo Public Relations, a firm based in upstate New York according to in the firm website. The website states, "Today success depends in

developing and executing big ideas that capture the attention of reporters, industry, analysts, potential customers, key influencers – and voters. Need CPR?” As such Mr. Caputo makes his living, working through his company as a communications consultant for among others, political candidates.

Mr. Caputo appeared on NY1 as an official spokesman and “key advisor” for the Grimm campaign on October 6, 2017. The Hill, reported on September 29, 2017, that Mr. Caputo confirmed he is working for Grimm. The Hill went on to note, “Caputo is a well-known Republican strategist who has been a long-time ally of President Trump’s and considers former White House chief strategist Stephen Bannon a friend. His hiring indicates that Grimm plans to pitch himself to Republican primary voters as a steadfast Trump ally in congress.” (“id’ in _____ and)

According to the New York Times, on October 4, Mr. Grimm sought the endorsement of Stephen K. Bannon in Washington D.C., along with Mr. Michael Caputo, who stated, “We’re joining the Bannon portfolio of Republican challengers to anti-Trump Republican congressmen,” Mr. Caputo was described as a Grimm adviser who also served as an adviser to Mr. Trump during the 2016 presidential campaign.

In a New York Magazine story on October 26, 2017, Mr. Caputo was identified as the Grimm spokesman, and as a longtime Republican operative who worked on the Carl Paladino gubernatorial race and the Trump presidential race. Further, after indicating that Mr. Bannon might have some reservations about Grimm---“Steve’s like, ‘He’s a felon?’” –Mr. Caputo explained that his job, as he understood it, was to “define Grimm in a way that would fit, that would help Steve get to yes.”

To further the evidence in an October 5, 2017 story in Newsweek, we find, “A picture tweeted by Michael Caputo the

onetime Trump Campaign advisor who is now handling Grimm's press, memorialized the get together. While in an October 12, 2017 story in the Staten Island Advance Mr. Caputo was identified as, the Grimm advisor, and was heard attacking Congressman Donovan, Grimm's primary opponent in NY 11.

And, as recently as January 5, 2018, the Staten Island Advance featured a story by Clifford Michel, "Grimm hired Michael Caputo, former adviser to Donald Trump's presidential campaign, for his congressional campaign." And. "Caputo tweeted a photo of Grimm and Bannon with the caption, #MAGA".

Mr. Caputo is a professional who earns his living as a media spokesperson and strategist as such highly unlikely he would give away his services to the Grimm campaign. And, as demonstrated above and in the annexed news stories, Mr. Caputo has appeared with Mr. Grimm in Washington, D.C., apparently in Staten Island, and made television appearances as a Grimm spokesperson over a period of at least four months. Nevertheless an examination of The Friends of Grimm year-end financial filing, fails to show any payment to Mr. Caputo, or his company, or any expenses for travel, etc having been reimbursed to Mr. Caputo or his campaign. Nor does the Grimm FEC report indicate any debt owed to Michael Caputo or his firm Caputo Public Relations, or any in-kind contributions by Mr. Caputo or his firm.

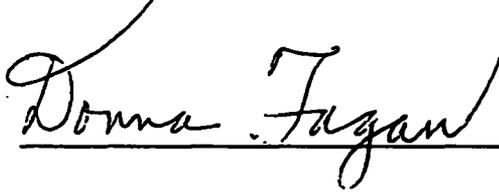
Based on the totality of the circumstances it would appear that Mr. Caputo, and/or his firm Caputo Public Relations has made in-kind contributions which were likely over the federal limit given, Mr. Caputo's months of service to Mr. Grimm and his travel for Mr. Grimm. Therefore, the failure of the Grimm campaign to report these excessive in-kind contributions or to properly report debts and or payments made to Mr. Caputo and/or his firm constitutes violations of 52U.S.C §30104(b) and

30116(a):

Moreover, Mr. Caputo appears to have violated 52 U.S.C §30101 and 30116 by making illegal campaign contributions.

The complaint listed below hereby verifies that the statements made herein are, upon information and belief, true.

Sworn pursuant to §U.S.CC §1001.



Signed:

Donna Fagan

Staten Island, NY 10304

Sworn and subscribed before me on this 23 day of
February, 2018


NOTARY PUBLIC

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RUSSELL T. ADDESSI
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